

REMARKS

The final Office Action of February 13, 2006 (Paper No. 02062006) has been carefully considered. Allowance of claims 6 thru 9, 11, and 13 thru 20 is gratefully acknowledged.

Claim 1 is being amended. Thus, claims 1 thru 4, 6 thru 9, 11 and 13 thru 20 are pending in the application.

It should be noted that the second paragraph after the preamble of claim 1 is being amended merely to recite that the "second elongate member" has a "top portion" so as to provide positive antecedent basis for the recitation of "top portion" in the third paragraph after the preamble of claim 1. It should also be noted that, since the "top portion" of the "second elongate member" was already previously recited in the third paragraph after the preamble of claim 1 as "a top portion of said second elongate member", nothing new is being added to claim 1. Moreover, consistent with the amendment of the second paragraph after the preamble of claim 1, the third paragraph after the preamble of claim 1 is being amended to recite "said top portion of said second elongate member" since antecedent basis for "top portion" is now recited in the second paragraph after the preamble of claim 1.

Thus, claim 1 is being amended merely to improve its form by reciting the "second elongate member" as "having a top portion", thereby providing proper antecedent basis for the subsequent recitation of the "top portion of said second elongate member". Therefore, this amendment does not raise "new issues" requiring further consideration and/or search on the part of the Examiner, and this Amendment after Final should be entered.

On page 2 of the final Office Action, claims 1-4 are rejected under 35 U.S.C. 112 (first paragraph) for alleged failure to comply with the "written description" requirement. The Examiner states that "[n]either the specification nor the drawings teach/show the second member (28) extending in a perpendicular direction to the first member (22)" (quoting from the last three lines on page 2 of the final Office Action).

In response, Applicant wishes to point out that the recited "first elongate member" corresponds to the upright weldment 22 in Figures 2A and 2B, and that the recited "second elongate member" corresponds to the indexing cylinder assembly 14 (including tube mounting bar 28, indexing tube 26 and shaft assembly 30) of Figures 2A and 2B. Thus, the recited "top portion" of the "second elongate member" corresponds to the top portion of the shaft assembly 30 of Figures 2A and 2B, the top portion of shaft assembly 30 having a surface which is flat and extends in a horizontal direction substantially perpendicular to the vertical direction in which the upright weldment 22 (first elongate member) extends. Finally, the recited "holding frame means" corresponds to the holding frame 32 which, as seen in Figures 3A-3C, is mounted on the top portion (shaft assembly 30) of the indexing cylinder assembly 14 (second elongate member) for holding the monitor 12 (computer equipment) of Figure 1.

Thus, the recitations of claim 1 are fully supported by the disclosure of this application as originally filed, and the rejection under 35 U.S.C. 112 (first paragraph) should be withdrawn.

On page 3 of the final Office Action, claims 1-4, 6-9, 11 and 13-20 are objected to for alleged inconsistency between the claim terminology and the specification. The Examiner states an interpretation which draws a correspondence between the recited "second elongate member" and tube mounting bar 28. However, as stated above, the

recited "second elongate member" actually corresponds to the indexing cylinder assembly 14 (including tube mounting bar 28, indexing tube 26 and shaft assembly 30), the "top portion" (shaft assembly 30) of which has a flat surface which extends in a horizontal direction substantially perpendicular to the vertical direction in which the upright weldment 22 (first elongate member) extends. Thus, for the same reasons as stated above in response to the rejection under 35 U.S.C. 112 (first paragraph), the claim terminology is consistent with the specification and drawings, and the objection to claims 1-4, 6-9, 11 and 13-20 should be withdrawn.

On page 3 of the final Office Action, claims 1 and 2 are rejected under 35 U.S.C. 102 for alleged anticipation by Shichijo et al, U.S. Patent No. 5,000,511. For the reasons stated below, the invention recited in claims 1 and 2 is not disclosed in or suggested by Shichijo '511 so as to preclude rejection under 35 U.S.C. 102 or 103. Specifically, Shichijo '511 does not disclose or suggest an apparatus for mounting computer equipment in a vehicle, "wherein said second elongate member is fixed to one side of said top portion of said first elongate member so that said holding frame means faces a user on one side of the apparatus; and wherein said second elongate member is alternatively fixed to another side of said top portion of said first elongate member so that said holding frame means faces another user on another side of the apparatus" (quoting from the last two paragraphs of claim 1, as amended).

In rejecting claims 1 and 2 under 35 U.S.C. 102, the Examiner draws the following correspondence between the recited elements of claim 1 and elements disclosed in Shichijo '511:

<u>Claimed Elements</u>	<u>Elements of Shichijo '511</u>
first elongate member	stay 20
second elongate member	arm 19
holding frame means	joint 25, side plate 27

However, a review of the disclosure of Shichijo '511 reveals that the arm 19 (second elongate member, according to the Examiner's analysis) of Shichijo '511 is fixed to one side only of stay 20 (first elongate member, according to the Examiner's analysis) by a pin located in the vicinity of reference numeral 20a. That is, in contrast to the second elongate member of claim 1, the arm 19 (second elongate member, according to the Examiner's analysis) of Shichijo '511 is not alternatively fixed to another side of stay 20 (first elongate member, according to the Examiner's analysis).

Thus, the arrangement of Shichijo '511 does not achieve the advantage of the present invention, that is, the joint 25 and side plate 27 (holding frame means, according to the Examiner's analysis) of Shichijo '511 do not face another user on another side of the apparatus, as recited in the last paragraph of claim 1 of the present application. In fact, each of the figures of Shichijo '511 discloses an arrangement wherein the monitor 9 faces, and is viewable by, a passenger in the righthand seat (e.g., see Figures 3 and 6 of Shichijo '511), but none of the figures of Shichijo '511 discloses an arrangement wherein the monitor 9 faces, and is viewable by, another passenger in the lefthand seat.

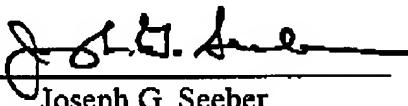
As a result of these distinctions between the invention of independent claim 1 and the disclosure of Shichijo '511, the arrangement of Shichijo '511 is not able to accomplish the same functions and achieve the same advantages as the present invention. Moreover, for the above reasons, the invention recited in independent claim 1 and associated dependent claims 2 thru 4 is distinguishable from the disclosure of Shichijo '511 so as to preclude rejection under 35 U.S.C. 102 and 103.

In view of the above, it is submitted that the claims of this application are in condition for allowance, and early issuance thereof is solicited. If any further issues remain in this application, it is requested that the Examiner contact the undersigned attorney at the below-listed local telephone number in order to expedite allowance.

No fee is incurred by this Amendment. However, in the event that there are fees due, the Commissioner is authorized to charge such fees to Deposit Account No. 19-1070. A duplicate of this sheet is attached.

Respectfully submitted,

Robert H. TWYFORD

By: 
Joseph G. Seeber
Reg. No. 27,719

Post Office Box 750
Great Falls, VA 22066
Telephone: (703)430-1702
Facsimile: (703)450-7914

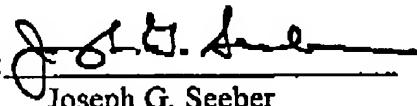
As a result of these distinctions between the invention of independent claim 1 and the disclosure of Shichijo '511, the arrangement of Shichijo '511 is not able to accomplish the same functions and achieve the same advantages as the present invention. Moreover, for the above reasons, the invention recited in independent claim 1 and associated dependent claims 2 thru 4 is distinguishable from the disclosure of Shichijo '511 so as to preclude rejection under 35 U.S.C. 102 and 103.

In view of the above, it is submitted that the claims of this application are in condition for allowance, and early issuance thereof is solicited. If any further issues remain in this application, it is requested that the Examiner contact the undersigned attorney at the below-listed local telephone number in order to expedite allowance.

No fee is incurred by this Amendment. However, in the event that there are fees due, the Commissioner is authorized to charge such fees to Deposit Account No. 19-1070. A duplicate of this sheet is attached.

Respectfully submitted,

Robert H. TWYFORD

By: 
Joseph G. Seeber
Reg. No. 27,719

Post Office Box 750
Great Falls, VA 22066
Telephone: (703)430-1702
Facsimile: (703)450-7914

COPY

-11-